

Docket No.: 50277-1646

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 JAN 18 AM 5:22

In re Application of : Confirmation No.: 4042
GARY HALLMARK, et al. : Group Art Unit: 2171
Serial No.: 09/757,399 : Examiner: Frantz Coby

Filed: January 5, 2001

For: METHOD AND APPARATUS FOR IMPLEMENTING PARALLEL OPERATIONS IN
A DATABASE MANAGEMENT SYSTEM

REQUEST FOR REFUND

Mail Stop 16
Director of the US Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Amendment and Response for the above-referenced patent application was filed on September 30, 2004. A filing fee of \$704.00 was charged to Deposit Account No. 50-1302 for additional claims. The application previously paid for 72 Total Claims and 20 Independent Claims, as indicated by the enclosed No Fee Transmittal filed with the Amendment and Response on September 30, 2004.

Enclosed are the Official Filing Receipt, which states 72 Total Claims and 10 Independent Claims were paid for, and the Fee Transmittal and copy of check paying for an additional 10 Independent Claims filed on October 17, 2002. It is shown that 72 Total Claims and 20 Independent Claims have been previously paid. Therefore, there should be no additional claims fee for the present 56 Total Claims and 18 Independent Claims pending in the referenced patent application.

Serial No.: 09757,399

It is requested that the amount of \$704.00 be refunded and credited to Deposit Account No. 50-1302 in the referenced patent application.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Christopher J. Brokaw
Reg. No. 45,620

Date: January 10, 2005

2055 Gateway Place, Suite 550
San Jose, California 95110-1089
Tel: (408) 414-1080
Fax: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop 16, Director of the US Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450.

on Jan. 10, 2005 by Trudy Bagdon
Trudy Bagdon

NO FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number 09/757,399
Filing Date January 5, 2001
First Named Inventor GARY HALLMARK
Examiner Name FRANTZ COBY
Group/Art Unit 2171
Attorney Docket No. 50277-1646

METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number 50-1302

Deposit Account Name Hickman Palermo Truong & Becker, LLP

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

3. Applicant(s) is entitled to small entity status.
See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Highest Paid Claims	Extra Claims	Fee from Below	Fee Paid
56	-72 =	0	18.00	0.00
18	-20 =	0	86.00	0.00

Multiple Dependent

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2010	2255	1005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1330	2453	665	Petition to revive - unintentional	
1501	1330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) CHRISTOPHER J. BROKAW

Registration No. 45,620
(Attorney/Agent)

Telephone (408) 414-1080

Signature

Date September 30, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Non Fee Amend, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

OID1993-06-CON2-R

BEST AVAILABLE COPY

BOH/CF



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

2005 JAN 18 AM 5:22

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/757,399	01/05/2001	2171	2336	50277-1646	36	72	10

CONFIRMATION NO. 4042

UPDATED FILING RECEIPT



OC00000006041226

Hickman Palermo Truong & Becker LLP
1600 Willow Street
San Jose, CA 95125

Date Mailed: 05/04/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gary Hallmark, Portland, OR;
Daniel Leary, New Ipswich, NH;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A REI OF 08/898,080 07/21/1997 PAT 5,857,180
WHICH IS A CON OF 08/441,527 05/15/1995 ABN
WHICH IS A CON OF 08/127,585 09/27/1993 ABN

Foreign Applications

If Required, Foreign Filing License Granted 02/12/2001

Projected Publication Date: N/A

Non-Publication Request: No

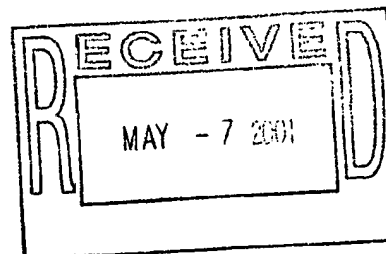
Early Publication Request: No

Title

Method and apparatus for implementing parallel operations in a database management system

Preliminary Class

707



DATA BASE
ENTRY

DOCKETED

DATES:

5/8/01

k

BEST AVAILABLE COPY

Data entry by : RAWLS, ROXANNE

Team : OIPE

Date: 05/04/2001



BEST AVAILABLE COPY

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

BEST AVAILABLE COPY

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 AND 1.28

TOTAL AMOUNT OF PAYMENT (\$ 840.00)

Complete if Known

Application Number 09/757,399
Filing Date January 5, 2001
First Named Inventor Gary HALLMARK
Examiner Name Coby, F.
Group/Art Unit 2171
Attorney Docket No. 50277-1646

METHOD OF PAYMENT (check one)

1. ☒ Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Deposit Account Number 50-1302

Deposit Account Name Hickman Palermo Truong & Becker, LLP

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

3. ☐ Applicant(s) is entitled to small entity status.
See 37 CFR 1.27

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	0.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from Below	Fee Paid
57	-72**= 0	18.00	0.00
20	-10**= 10	84.00	84.00

Multiple Dependent

**or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 84 0.00)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,980	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify)

Other fee (specify)

SUBTOTAL (3) (\$ 0.00)

*Reduced by Basic Filing Fee Paid

Complete (if applicable)

SUBMITTED BY

Name (Print/Type)

Christopher J. Brokaw

Signature

Registration No. (Attorney/Agent)

45,620

Telephone

(408) 414-1080

Date

Oct 17, 2002

WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

BEST AVAILABLE COPY

1943

HICKMAN PALERMO TRUONG & BECKER LLP

PTO PAYMENT ACCOUNT
1600 WILLOW STREET
SAN JOSE, CA 95125

HERITAGE BANK OF COMMERCE
SAN JOSE, CA 95113
90 4228 1211

PAY TO THE
ORDER OF

Commissioner for Patents

\$840⁰⁰~~00~~

DOLLARS

Eight hundred and forty and ⁰⁰/₁₀₀

MEMO

50277-1646

⑈001943⑈ ⑆121142287⑆ 001566660⑈

Security Features Included. Details on Web.

HICKMAN PALERMO TRUONG & BECKER LLP

PTO PAYMENT ACCOUNT

1943

Commissioner for Patents

50277-1646

\$ 840

10/17/02

HICKMAN PALERMO TRUONG & BECKER LLP

PTO PAYMENT ACCOUNT

1943



2171/8
10/D
11/6/02
120 Roy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 4042

GARY HALLMARK and DANIEL LEARY

Group Art Unit No.: 2171

Serial No.: 09/757,399

Examiner: F. Coby

Filed on: January 5, 2001

For: METHOD AND APPARATUS FOR IMPLEMENTING PARALLEL OPERATIONS IN
A DATABASE MANAGEMENT SYSTEM

This is a Reissue Application based on U.S. Patent No. 5,857,180
issued January 5, 1999

RECEIVED

OCT 24 2002

Technology Center 2100

Commissioner for Patents

Adjustment date: 11/30/2004 HSMITH1 00000001 501302 09757399
01 FC:1201 704.00 CR

AMENDMENT AND RESPONSE

Sir:

This is in response to the Office Action mailed July 17, 2002, the shortened statutory period for which runs until October 17, 2002. Please revise the subject application as indicated below. The Applicants respectfully request entry of the following amendments and reconsideration of the application in light of the following remarks.

IN THE CLAIMS

Please amend Claims 27, 29, 30, 31, 33, 35-37, 44, 63, 65 - 73, and 80 as shown below. Please cancel Claims 20-26 and 56-62. Accordingly, Claims 27-52 and 63-88 are pending in the present reissue application. Attached hereto is a marked-up version of the claims that indicate that differences between the current set of claims and the claims of the parent issued patent

Docket No. 50277-1646

Adjustment date: 02/25/2005 SDIRETA2
10/23/2002 AADOF01 00000057 09757399
01 FC:1201 -840.00 OP

02/25/2005 SDIRETA1 00000001 09757399
01 FC:1204 840.00 OP

10/23/2002 AADOF01 00000057 09757399
01 FC:1201 840.00 OP